

# HOUSE BILL No. 1186

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 20-19-7.

**Synopsis:** Privacy of student records. Prohibits an agency from releasing, selling, or otherwise transferring student information to the federal government or another entity unless all identifying information concerning students has been redacted or the general assembly has enacted legislation expressly authorizing the release, sale, or transfer. Provides that a violation is a Class A misdemeanor (up to one year imprisonment and a \$1,000 fine).

**Effective:** July 1, 2014.

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## Thompson

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January 14, 2014, read first time and referred to Committee on Education.

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Second Regular Session 118th General Assembly (2014)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

## HOUSE BILL No. 1186

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A BILL FOR AN ACT to amend the Indiana Code concerning education.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 20-19-7 IS ADDED TO THE INDIANA CODE AS  
2       A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY  
3       1, 2014]:

4       **Chapter 7. Transfer of Student Information**

5       **Sec. 1. This chapter does not apply to the transfer of an**  
6       **individual student's education records by a school or school**  
7       **corporation to:**

8               **(1) a school or postsecondary educational institution in which**  
9               **the student seeks to enroll; or**

10              **(2) an employer;**  
11       **with the written permission of the student's parent or the student,**  
12       **if the student is at least eighteen (18) years of age or emancipated.**

13       **Sec. 2. As used in this chapter, "agency" refers to the**  
14       **department, the state board, or any other entity created by statute**  
15       **or executive order that collects, maintains, receives, or stores**  
16       **student information.**



1       **Sec. 3. As used in this chapter, "student information" means any**  
2 **data collected, maintained, received, or stored by an agency in**  
3 **which an individual student or an individual student's family is**  
4 **identified by name, by an assigned identification number, or in any**  
5 **manner by which the identity of an individual student or an**  
6 **individual student's family may be ascertained.**

7       **Sec. 4. An agency may not release, sell, or otherwise transfer**  
8 **student information to the federal government or any other entity**  
9 **unless:**

10       **(1) all identifying information concerning each student and**  
11 **each student's family has been redacted; or**

12       **(2) the general assembly has enacted legislation giving express**  
13 **approval of the release, sale, or transfer of the student**  
14 **information.**

15       **Sec. 5. A person who recklessly, knowingly, or intentionally**  
16 **violates section 4 of this chapter commits a Class A misdemeanor.**

